

SEP 13 2011

JULIA C. BUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLINTON CECIL HARDEN,
Petitioner

v.

HAROLD W. CLARKE,
Respondent.

Civil Action No. 7:11cv00192

FINAL ORDER

By: Samuel G. Wilson
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that respondent's motion to dismiss (Docket No. 10) is **GRANTED**; the above referenced 28 U.S.C. § 2254 petition is **DISMISSED**; and this action is **STRICKEN** from the active docket of the court.

Further, finding that Harden has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

The clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to petitioner and counsel for respondent.

ENTER: This 13th of September, 2011.


United States District Judge